(c) if so, Government's reaction thereto; and

(d) how Government contemplates to enhance their representation both in High Courts and in the Supreme Court?

THE MINISTER OF LAW AND JUSTICE (SHRI M. VEERAPPA MOILY): (a) Yes, Sir.

(b) No, Sir.

(c) and (d) Appointment of Judges of the Supreme Court and High Courts is made under Articles 124 and 217 of the Constitution of India respectively, which do not provide for reservation for any caste or class of persons. The Government has, however, addressed letters to the Chief Justices of the High Courts from time to time impressing upon them the need to locate persons from the Bar, belonging to Scheduled Castes, Scheduled Tribes, Other Backward Classes, Minorities and from amongst women, who may be suitable for appointment as High Court Judges.

**Changes in Muslim personal law**

1923. SHRI BALBIR PUNJ: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether it is a fact that Justice A.R. Lakshmanan Committee has criticized the trend of polygamy in muslim society and found it gravely faulty and in conflict with Islamic law in letter and spirit;

(b) if so, whether Government is planning to effect changes in the muslim personal law; and

(c) if not, the reasons therefor?

THE MINISTER OF LAW AND JUSTICE (SHRI M. VEERAPPA MOILY): (a) to (c) The 18th Law Commission headed by Justice A.R. Lakshmanan in its 227th Report on 'Preventing Bigamy via Conversion to Islam — A proposal for giving Statutory Effect to Supreme Court Rulings' has observed that traditional understanding of the Muslim law on bigamy is gravely faulty and conflicts with the true Islamic law in letter and spirit. The said Report is available on the website of the Law Commission http://www.lawcommissionofindia.nic.in. Since the subject matter of the said Report falls under List-III Concurrent List of the Seventh Schedule to the Constitution, comments/views of the State Governments and Union territory Administrations are solicited.

**Review of outdated laws**

1924. SHRIMATI SHOBHANA BHARTIA:
DR. GYAN PRAKASH PILANIA:
SHRI LALIT KISHORE CHATURVEDI:

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether the country has nearly 2000 archaic laws of old vintage but nearly two-thirds of them have not been used even once during the last sixty years;

(b) whether the Law Commission of India has recommended repealing of the irrelevant laws and updating of the important ones;

(c) if so, Government's reaction thereto;

(d) whether Justice V.R. Krishna Iyer headed a commission that found at least 300 outdated laws in Kerala alone; and

(e) whether outdated laws would continue to govern our lives for a long time to come unless a comprehensive law reform is undertaken by the Centre and State Governments?

THE MINISTER OF LAW AND JUSTICE (SHRI M. VEERAPPA MOILY): (a) No, Sir.

(b) and (c) Review of all laws, including those enacted during the British era, with a view to bring them in harmony with the current economic, social and political situation in the country is a continuous process. This task is undertaken by the different nodal Ministries/Departments of the Central Government administering the respective laws and generally by the Law Commission of India. The concerned Ministry/Department examines the recommendations of the Law Commission of India in respect of laws being administered by them as to its feasibility of reviewing or repealing them.

(d) Yes, Sir. The Law Reforms Commission, Kerala, under the chairmanship of Honourable Justice V.R. Krishna Iyer has submitted its Final Report to the Government of Kerala on 26th January, 2009 recommending for review of old laws and for enactment of certain new legislations relating to that State, which is the primary concern of the Government of Kerala.

(e) In May, 1998, the Department of Administrative Reforms and Public Grievances of the Central Government set up the Committee on Review of Administrative Laws under the chairmanship of Shri P.C. Jain with the objective of examining the need of amendments in and repeal of laws, among others. The salient features of the recommendations of the said Committee included, among others, amendment of laws/rules, review of Acts of critical importance and repeal of dysfunctional/irrelevant laws. The implementation of the report submitted by the said Committee on Review of Administrative Laws is being monitored by the Department of Administrative Reforms and Public Grievances. A office memorandum containing the status of repeal and review of Statutes recommended by the Committee is enclosed of Statement.

***Statement***

No. K. 11019/1/2005—IT(A)/AR
Government of India
Ministry of Personnel, PG and Pensions
Deptt. of Administrative Reforms and Public Grievances

Sardar Patel Bhavan, Sansad Marg,
New Delhi, Dated: the 20th November, 2009

**Office Memorandum**

Subject: Action Points arising out of the address of the Hon'ble President of India-Bi-monthly Status report

Reference Department of Personnel and Training O.M.No. 1-27011/3/05-Ad.III dt 07.12.2005 on the above mentioned subject.

2. The report showing the status of the action taken on repeal of the dysfunctional laws (Action Point No.45) as on 30th September, 2009 is enclosed.

(Meenakshi Sharma)
Director (AR)

Encl : a.a.

To

Department of Personnel and Training,
Ad.III Section,
North Block, New Delhi.

Copy along with Encl. to :-

Ministry of Law, Justice
Legislative Department
Shastri Bhavan,
New Delhi

*Status of repeal of outmoded and inessential laws recommended by the Commission on Review of Administrative Laws*

(As on 30.09.2009)

| Sl. No. | Acts | Total number of Acts | Number of Acts decided to be repealed and at various stages of repeal | Number of Acts decided to be retained | Number of Acts under examination (Excluding col. 4 and 5) | Acts repealed (Action completed | Remarks |
|---|---|---|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| 1. | Central Acts (including 11 Pre-Nationalisation Acts and 20 Validation Acts) | 166 | 13 | 72 | 03 | 68 | 10 (Out of 166 Central Acts, 6 Acts pertains to State List and 4 Acts repeated in the list) |

| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
|---|---|---|---|---|---|---|---|
| 2. | Amendment Acts | 315 | 0 | 0 | 0 | 315 | |
| 3. | British Statutes | 11 | 3 | 0 | 0 | 8 | |
| 4. | War-time permanent ordinances | 17 | 1 | 6 | 5 | 5 | |
| 5. | Central Acts relating State List | 114 | 0 | 0 | 0 | 5 | 109 (Action is to be taken by State Govts.) |
| 6. | Appropriation Acts | 700 | 0 | 700 | 0 | 0 | |
| 7. | Reorganisation Acts' | 35 | 0 | 27 | 1 | 7 | |
| 8. | Laws applicable to High Courts | 12 | 0 | 5 | 0 | 7 | |
| 9. | Personal Laws | 12 | 0 | 12 | 0 | 0 | |
| | TOTAL | 1382 | 17 | 822 | 09 | 415 | 119 |

*Statistics of balance action pending for repeal*

| | | |
|---|---|---|
| 1. | Acts recommended for repeal | 1382 |
| 2. | Acts repealed so far (col. 7) (-) | 415 |
| 3. | Acts decided not to be repealed (Col. 5) (-) | 822 |
| 4. | Action to be taken by State Govt. (109 + 6 out of 166 Central Acts) (-) | 115 |
| 5. | Acts repeated in the list of 166 Central Acts (-) | 4 |
| | Balance action pending | 26 |

**Disclosure of assets by Judges**

1925. SHRIMATI RENUBALA PRADHAN:
SHRI MANGALA KISAN:

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) the names of Judges including the Chief Justice of India and the assets declared by them;

(b) whether Government proposes an enquiry into their disproportionate assets, if any; and

(c) whether it would amount to encroachment into the independence of judiciary?